



PATENT

ATTORNEY DOCKET NO.: 46884-5470

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hiroshi AKAHORI, et al.

Application No.: 10/574,600

Filed: January 25, 2007

For: ENERGY RAY DETECTING
ELEMENT

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) Confirmation No.: 4196
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) Group Art Unit: 2884
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) Examiner: David S. Baker
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Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Issue Fee
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the document listed on the attached PTO-1449. This Information Disclosure Statement ("IDS") is being filed after the events recited in § 1.97(c) but before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), a fee of \$180.00, as specified by § 1.17(p) is attached hereto.

No item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the best of the undersigned's knowledge and recollection, no item of information contained in this IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this IDS.

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A U.S. Office Action dated December 24, 2008 that issued in a related U.S. patent application no. 10/554,105 and having a document cited therein is attached for the Examiner's

consideration.

Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached PTO-1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "Prior Art". If it should be determined that the listed document does not constitute "Prior Art" under the United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

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Dated: February 2, 2009

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